

THE

L A W S

New Hampshire Laws - I.]

OF THE



K

State of New-Hampshire,

PASSED AT A SESSION OF THE

Honorable General Court,

Begun and holden at HOPKINTON,

June, 1798.

PRINTED FROM ATTESTED COPIES.

PORTSMOUTH—NEW-HAMPSHIRE :

PRINTED BY JOHN MELCHER, PRINTER TO THE STATE.

1798.

THE

J. A. W. S.

OF THE

State of New-Hampshire

PASSED AT A SESSION OF THE

Honorable General Court,



Printed and sold by HOPKINS

1798.

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AND BY HOPKINS

1798.

THE
L A W S
OF THE

State of New-Hampshire,

PASSED AT A SESSION OF THE

Honorable General Court,

Begun and holden at CONCORD,

December, 1798.

PRINTED FROM ATTESTED COPIES.

PORTSMOUTH—NEW-HAMPSHIRE :
PRINTED BY JOHN MELCHER, PRINTER TO THE STATE,
1799.

L A W S
THE

OF THE

State of New-Hampshire

PASSED AT A SESSION OF THE

Honorable Court



Printed and sold at CONCORD,

December, 1798.

PRINTED FROM REVERSED COPIES

ESTABLISHED AT NEW-HAMPSHIRE
PRINTED BY JAMES HARRISON, Printer to the State



THE
L A W S
OF THE
STATE OF NEW-HAMPSHIRE,

PASSED AT A SESSION OF THE GENERAL COURT, BEGUN DECEMBER, 1798.

—○—○—○—○—○—○—○—○—○—
AN ACT to make perpetual "an act making further provision for the administration of justice," passed February 12, 1794. Approved Dec. 4, 1798.

WHEREAS in and by said act it is provided, that the same be in force for the term of five years from the passing thereof, and no longer. Therefore, *Be it enacted by the Senate and House of Representatives in General Court convened,* That said act and every clause thereof, be, and continue to be in force, in the same way and manner, as if no limitation in and by said act had been made. Preamble.

Approved December 4, 1798.

AN ACT to repeal an act entitled, "an act for the better preservation and increase of Deer, within this State," passed November the twenty-fifth, one thousand seven hundred and seventy-eight. Approved Dec. 7, 1798.

BE it enacted by the Senate and House of Representatives in General Court convened, That the before recited act, and every clause thereof, be, and the same is hereby repealed. repealing clause.

Approved December 7, 1798.

Approved
Dec. 24,
1798.

AN ACT in addition to the laws relating to proprietary matters.

Clerks, &c.
shall be in-
habitants,

SECT. 1. **B**E it enacted by the Senate and House of Representatives in General Court convened, That from and after the twentieth day of May next, all proprietor's clerks and collectors, and all other proprietary officers, shall be inhabitants of this State; and upon their ceasing to be inhabitants as aforesaid, their respective offices shall cease; and all persons who now, or shall then hold any of the offices aforesaid, and who live out of this State, shall cease to hold said offices from and after said twentieth day of May next.

Upon appli-
cation a jus-
tice to issue
his warrant.

SECT. 2. *And be it further enacted,* That in every case where the proprietor's clerk now lives without this State, or shall so live on said twentieth day of May next, it shall and may be lawful for one sixteenth part, or more, of the proprietors of said lands, to apply in writing to any Justice of the Peace in this State, requesting him to call a meeting of said proprietors, who shall on such application issue his warrant or notification accordingly; and the same notice shall, in all respects, be given for calling said meetings, as by law is required for calling proprietary meetings.

Manner of
voting.

SECT. 3. *And be it further enacted,* That the number of votes to which each proprietor at any proprietary meeting shall be entitled, shall be according to the number of rights or shares said proprietor owns in said land, in the proportions following, and not otherwise: that is to say, for one right or share, one vote; for two rights or shares, two votes; for every two rights or shares above two, and not exceeding ten, one vote; for every four rights or shares above ten, and not exceeding thirty, one vote; for every six rights or shares above thirty, and not exceeding sixty, one vote; and for every eight rights or shares above sixty, one vote. And if two or more persons be the proprietors or owners of a right, share or lot, such persons or any one of them, shall be entitled to vote according to their interest therein, agreeably to the rate and proportion aforesaid.

Deeds when
& by whom
to be execu-
ted.

SECT. 4. *And be it further enacted,* That no collector of any proprietary tax, shall execute a deed of any

real

real estate by him sold for taxes, until the time for redeeming the same shall be expired; and in case any proprietor's collector shall die, remove, or any way be rendered incapable of completing the duty of such office, their successors respectively shall complete the same. And any persons shall have the liberty of redeeming any lands sold for the payment of proprietary taxes, at any time within the term of one year from the sale thereof, the person redeeming the same, paying to the collector a sum amounting to the real value of what the lands sold for, all legal charges, and the interest thereon to the time of payment.

Approved December 24, 1798.

AN ACT to establish an equitable method of making rates and taxes.

Approved
Dec. 26,
1798.

BE it enacted by the Senate and House of Representatives in General Court convened, That henceforward all public taxes shall be assessed on the polls and rateable estates in the manner following, viz.—Each male poll from eighteen to seventy years of age (excepting those from eighteen to twenty-one enrolled in the militia, ordained ministers, students of colleges, paupers and idiots,) to be valued at one dollar and thirty-four cents; stallions or stud horses, that have been wintered three winters, each at five dollars; other horses and mares that have been wintered five winters, each at sixty-six cents; other horses and mares that have been wintered four winters only, each at fifty cents; other horses and mares that have been wintered three winters only, each at thirty-four cents; other horses and mares that have been wintered two winters only, each at sixteen cents; oxen that have been wintered five winters, each at fifty cents; cows that have been wintered five winters, each at thirty-four cents; all neat stock that have been wintered four winters only, each at twenty-five cents; all neat stock that have been wintered three winters only, each at sixteen cents; all other stock that has been wintered two winters only, each at eight cents; reckoning the winter to

Polls.

Stallions.

Other horses

Oxen.

Cows.

begin

Orchard.	begin the first day of December, and to end the last day of March ;—orchard land accounting so much for an acre as will one year with another, make ten barrels of cyder or perry, each acre at twenty-five cents ; arable land, accounting so much for an acre as will produce twenty-five bushels of Indian corn or other grain equivalent, one year with another at sixteen cents ; mowing land, accounting so much for an acre as will produce one ton of English hay, or other hay equivalent, one year with another, at sixteen cents for each acre ; pasture land, accounting so much as will keep one cow, one year with another, four acres, each acre at seven cents ; mills, wharves and ferries, to be estimated at one twelfth part of their net yearly income, after deducting repairs ; all other buildings and unimproved lands, whether owned by inhabitants or non-residents, at half of one per cent of the real value ; all stock or property whether of tanners, curriers, blacksmiths, or other tradesmen, employed in the business of their trades, at half of one per cent ; all stock in trade of merchants, shopkeepers, or other traders, reckoning the same at the average value thereof for a year, at half of one per cent ; all money on hand or at interest, more than the owner pays interest for, at three quarters of one per cent ; and all property in the public funds, to be estimated at the same rate according to its real value.
Arable.	
Mowing.	
Pasture.	
Mills.	
Buildings.	
Stock, &c. of tanners, &c.	
Stock in trade.	
Money.	
Property in funds.	

Approved December 26, 1798.

Approved
Dec. 26,
1798.

AN ACT for making and establishing a new proportion of public taxes among the several towns, parishes and places within this State ; and to authorize the Treasurer to issue his warrants for levying the same annually.

BE it enacted by the Senate and House of Representatives in General Court convened, That the proportion to every thousand dollars of the public taxes, which each town, parish and place, within this State shall annually pay, and for which the Treasurer is hereby authorized and directed to issue his warrants, shall be as follows, to wit :

For

Proportion of Taxes.

521

For the County of Rockingham.

	Dls.	Cts.
Allenstown, one dollar, thirty-six cents,	1	36
Atkinson, three dollars, sixty-four cents,	3	64
Bow, two dollars, ninety-nine cents,	2	99
Brintwood, seven dollars, eighteen cents,	7	18
Candia, six dollars, eighty cents,	6	80
Canterbury, seven dollars, ninety cents,	7	90
Chester, twelve dollars, eighty-two cents,	12	82
Chichester, three dollars, forty-five cents,	3	45
Concord, eleven dollars, thirteen cents,	11	13
Deerfield, eleven dollars, forty-six cents,	11	46
East-Kingston, three dollars, sixty-five cents,	3	65
Epping, nine dollars, seventy cents,	9	70
Epsom, five dollars, sixty cents,	5	60
Exeter, ten dollars,	10	0
Greenland, four dollars, forty-two cents,	4	42
Hampstead, four dollars, seventy-five cents,	4	75
Hampton, seven dollars, one cent,	7	1
Hamptonfalls, four dollars, seventy-six cents,	4	76
Hawke, three dollars, one cent,	3	1
Kensington, six dollars,	6	0
Kingston, four dollars, eighty-six cents,	4	86
Londonderry, sixteen dollars, eighty-two cents,	16	82
Loudon, seven dollars, seventy-three cents,	7	73
New-Castle, one dollar, fifty-two cents,	1	52
Newington, three dollars, fifty-six cents,	3	56
Newmarket, six dollars, eighty cents,	6	80
Newtown, two dollars, eighty cents,	2	80
Northfield, four dollars, sixty cents,	4	60
North-Hampton, five dollars, five cents,	5	5
Northwood, six dollars, sixteen cents,	6	16
Nottingham, seven dollars, fifteen cents,	7	15
Pelham, six dollars, nine cents,	6	9
Pembroke, six dollars, ninety cents,	6	90
Pittsfield, five dollars, forty cents,	5	40
Plaistow, three dollars, thirty-six cents,	3	36
Poplin, three dollars, twenty-five cents,	3	25
Portsmouth, twenty-six dollars, thirty-three cents,	26	33
Raymond, five dollars, ten cents,	5	10
Rye, five dollars, six cents,	5	6
Salem, six dollars, eighty cents,	6	80
Sandown, three dollars, seventy cents,	3	70
Seabrook, three dollars, forty-two cents,	3	42
South-Hampton, three dollars, twenty cents,	3	20
Stratham, five dollars, ninety-two cents,	5	92
Windham, four dollars, thirty-nine cents,	4	39
	283	61

For the county of Strafford.

Alton, three dollars, seventy-nine cents,	3	79
Barnstead, five dollars, fifty-eight cents,	5	58
Barrington, thirteen dollars, thirty-five cents,	13	35

B

Brookfield,

Proportion of Taxes.

	<i>Dls.</i>	<i>Cts.</i>
<i>Brookfield</i> , two dollars, eighty-five cents,	2	85
<i>Centre Harbour</i> , one dollar, thirty-seven cents,	1	37
<i>Conway</i> , four dollars, thirty cents,	4	30
<i>Dover</i> , eleven dollars, eighteen cents,	11	18
<i>Durham</i> , eight dollars, nineteen cents,	8	19
<i>Eaton</i> , one dollar, forty cents,	1	40
<i>Effingham</i> , two dollars, eighteen cents,	2	18
<i>Farmington</i> , five dollars, sixty cents,	5	60
<i>Gilmanton</i> , nineteen dollars, fifty-eight cents,	19	58
<i>Lee</i> , five dollars, seventy-six cents,	5	76
<i>Madbury</i> , four dollars, seventeen cents,	4	17
<i>Meredith</i> , eight dollars, sixty-four cents,	8	64
<i>Middleton</i> , one dollar, ninety-five cents,	1	95
<i>Moultonborough</i> , four dollars, twenty-five cents,	4	25
<i>New-Durham</i> , three dollars, thirty-seven cents,	3	37
<i>New-Hampton</i> , four dollars, thirteen cents,	4	13
<i>Officee</i> , three dollars, four cents,	3	4
<i>Rocheſter</i> , twelve dollars, sixty cents,	12	60
<i>Sanbornton</i> , eleven dollars, eighty-three cents,	11	83
<i>Sandwich</i> , six dollars, ninety-two cents,	6	92
<i>Somerſworth</i> , five dollars, one cent,	5	1
<i>Tamworth</i> , three dollars, seventy cents,	3	70
<i>Tuſtonborough</i> , one dollar, ſixty-seven cents,	1	67
<i>Wakefield</i> , five dollars, forty-one cents,	5	41
<i>Wolfeborough</i> , four dollars, ſixty-eight cents,	4	68
	166	48

For the county of Hillsborough.

<i>Amherſt</i> , ten dollars, thirty cents,	10	30
<i>Andover</i> , five dollars, twenty-one cents,	5	21
<i>Antrim</i> , four dollars, ſixty-three cents,	4	63
<i>Bedford</i> , five dollars, ninety-three cents,	5	93
<i>Boscanwen</i> , eight dollars, ſixteen cents,	8	16
<i>Brookline</i> , one dollar, ſixty-fix cents,	1	66
<i>Bradford</i> , two dollars, forty-four cents,	2	44
<i>Campbells Gore</i> , eighty-four cents,	0	84
<i>Dearing</i> , five dollars, eighty-four cents,	5	84
<i>Derryfield</i> , two dollars nineteen cents,	2	19
<i>Dunbarton</i> , ſix dollars, ſixty-seven cents,	6	67
<i>Dunſtable</i> , three dollars, ninety-fix cents,	3	96
<i>Fiſhersfield</i> , two dollars, ſixteen cents,	2	16
<i>Franceſtown</i> , ſix dollars, ſeventy-seven cents,	6	77
<i>Goffeſtown</i> , ſeven dollars, ſeventy cents,	7	70
<i>Greenfield</i> , four dollars, thirty-nine cents,	4	39
<i>Hanceck</i> , four dollars, eighty-two cents,	4	82
<i>Henniker</i> , ſix dollars, eighty-five cents,	6	85
<i>Hillsborough</i> , ſix dollars,	6	0
<i>Hollis</i> , ſeven dollars, ſixty cents,	7	60
<i>Hopkinton</i> , eleven dollars, eighty-four cents,	11	84
<i>Keafarge-Gore</i> , ſixty cents,	0	60
<i>Lyndeſborough</i> , five dollars, ſeventy cents,	5	70
<i>Lytchfield</i> , two dollars, forty-eight cents,	2	48

Mason,

Proportion of Taxes.

523

	Dls.	Cts.
Mason, five dollars, twenty-four cents,	5	24
Merrimack, four dollars, sixty-two cents,	4	62
Millford, five dollars, seven cents,	5	7
New-Boston, eight dollars, eighty-six cents,	8	86
New-Ipswich, seven dollars, fifty-eight cents,	7	58
New-London, two dollars,	2	0
Nottingham-West, five dollars, thirty cents,	5	30
Peterborough, seven dollars, seventy-eight cents,	7	78
Salisbury, ten dollars, twenty-nine cents,	10	29
Sharon, one dollar, seventy-two cents,	1	72
Society-Land, sixty-seven cents,	0	67
Sutton, three dollars, sixty cents,	3	60
Temple, four dollars, twenty cents,	4	20
Warner, seven dollars, three cents,	7	3
Weare, thirteen dollars, seventy-four cents,	13	74
Wilton, six dollars, eighty-six cents,	6	86
	219	30

For the county of Cheshire.

Acworth, five dollars, ninety-four cents,	5	94
Alstead, seven dollars, eighty-five cents,	7	85
Charlestown, eight dollars, nine cents,	8	9
Chesterfield, eleven dollars, one cent,	11	1
Claremont, ten dollars, ninety-six cents,	10	96
Cornish, seven dollars, ninety-six cents,	7	96
Croyden, four dollars, eighteen cents,	4	18
Dublin, five dollars, seventy cents,	5	70
Fitzwilliam, five dollars, ninety-seven cents,	5	97
Hindsdale, two dollars, sixty-eight cents,	2	68
Gilsum, two dollars, eight cents,	2	8
Goshen, one dollar, sixty cents,	1	60
Jaffrey, seven dollars, twenty-one cents,	7	21
Keene, nine dollars, thirty cents,	9	30
Langdon, two dollars, fifty-three cents,	2	53
Lempster, three dollars, seventy-two cents,	3	72
Marlborough, five dollars, sixty-three cents,	5	63
Marlow, two dollars, ninety-five cents,	2	95
New-Granatham, three dollars, four cents,	3	4
Newport, six dollars,	6	0
Packersfield, five dollars, five cents,	5	5
Plainfield, seven dollars, ninety-two cents,	7	92
Richmond, seven dollars, thirteen cents,	7	13
Rindge, six dollars, eighty-four cents,	6	84
Springfield, two dollars, sixty cents,	2	60
Stoddard, four dollars, sixty cents,	4	60
Surry, three dollars, twenty-eight cents,	3	28
Sullivan, two dollars, fifty-four cents,	2	54
Swanzey, seven dollars, seventy cents,	7	70
Unity, four dollars, twenty-five cents,	4	25
Walpole, twelve dollars, twenty-six cents,	12	26
Washington, three dollars, fifty-eight cents,	3	58
Wendell, one dollar, fifty cents,	1	50

Westmoreland,

Proportion of Taxes.

	Dls.	Cts.
Westmoreland, nine dollars, three cents,	9	3
Winchester, eight dollars, thirty-one cents,	8	31

 200 99

For the county of Grafton.

Alexandria, one dollar, sixty-seven cents,	1	67
Bartlett, one dollar, twenty-eight cents,	1	28
Bath, three dollars, sixty-three cents,	3	63
Bethlehem, sixty-three cents,	0	63
Brittonwoods, thirty cents,	0	30
Bridgewater, two dollars, ninety cents,	2	90
Burton, eighty-two cents,	0	82
Cambridge, forty-eight cents,	0	48
Campton, three dollars, fifty-four cents,	3	54
Canaan, four dollars, forty-four cents,	4	44
Chatham, seventy-six cents,	0	76
Cockburne, seventy-five cents,	0	75
Celebrooke, ninety-two cents,	0	92
Concord, two dollars, ninety-one cents,	2	91
Coventry, seventy-five cents,	0	75
Dalton, seventy-five cents,	0	75
Danbury, ninety-two cents,	0	92
Dorchester, one dollar, eighty-seven cents,	1	87
Dummer, sixty cents,	0	60
Enfield, six dollars, twenty-four cents,	6	24
Errol, sixty cents,	0	60
Franconia, seventy-six cents,	0	76
Grafton, two dollars, seventy-five cents,	2	75
Groton, two dollars, two cents,	2	2
Hanover, nine dollars, twenty cents,	9	20
Haverhill, five dollars, two cents,	5	2
Hebron, one dollar, thirty-five cents,	1	35
Jefferson, ninety-eight cents,	0	98
Kilkenny, sixty cents,	0	60
Lancaster, three dollars,	3	0
Landaff, two dollars, thirty-seven cents,	2	37
Lebanon, nine dollars, thirty-six cents,	9	36
Lime, five dollars, ninety-four cents,	5	94
Lincoln, seventy-five cents,	0	75
Littleton, one dollar, eighty cents,	1	80
Lyman, two dollars, forty cents,	2	40
Millsfield, sixty cents,	0	60
New-Chester, two dollars eighty cents,	2	80
New-Holdernefs, three dollars, eighteen cents,	3	18
Northumberland, one dollar, eighty cents,	1	80
Orange, eighty cents,	0	80
Orford, four dollars, ninety-eight cents,	4	98
Peeling, sixty cents,	0	60
Percy, ninety cents,	0	90
Peirmont, two dollars, eighty-eight cents,	2	88
Plymouth, four dollars, fifty-seven cents,	4	57
Rumney, two dollars, ninety-eight cents,	2	98
Shelburne and Addition, one dollar, eighty cents,	1	80

Stratford,

Proportion of Taxes.

325

	Dls.	Cts.
Stratford, two dollars, forty cents,	2	40
Succesi, sixty cents,	0	60
Thornton, two dollars, eighty-four cents,	2	84
Trecothick, sixty cents,	0	60
Warren, one dollar, eighty-five cents,	1	85
Wentworth, two dollars, twenty-five cents,	2	25
Maynesborough, sixty cents,	0	60
Paulsburg, sixty cents,	0	60
Whitefields, ninety cents,	0	90
Durand, ninety cents,	0	90
Stuart, one dollar, fifty cents,	1	50

127 99

Locations.

William Erving, eleven cents,	0	11
Barker, eleven cents,	0	11
Winslow, fourteen cents,	0	14
Nash and Sawyer, nine cents,	0	9
John Goffe, nine cents,	0	9
M. H. Wentworth, four cents,	0	4
Daniel Rogers, six cents,	0	6
Jacob Treadwell, six cents,	0	6
Hugh Sterling, eleven cents,	0	11
S. Sherburne and others, five cents,	0	5
Thomas Martin, one cent,	0	1
Joshua Martin, one cent,	0	1
Theophilus Dame, two cents,	0	2
John Hurd, two cents,	0	2
Stephen Holland, two cents,	0	2
Archibald Stark, fifteen cents,	0	15
Samuel Hale, eleven cents,	0	11
Francis Green, one cent,	0	1
Samuel Stark, six cents,	0	6
Rindge and Peirce, five cents,	0	5
George Wentworth, thirty cents,	0	30
Gridley's, one cent,	0	1

1 63

County of Rockingham,	283	61
Strafford,	166	48
Hillsborough,	219	30
Cheshire,	200	99
Grafton,	127	99
Locations,	1	63

1000 00

And be it further enacted, That the said proportion shall be for all public taxes, until a new proportion shall be made and established; and that the Treasurer for the time being, issue his warrants accordingly.

Approved December 26, 1798.

AN

526 *Treasurer to rectify mistakes.—Scale beams, &c.—C. P. Strafford.*

Approved
Dec. 27,
1798.

AN ACT enabling the Treasurer of the State and Treasurer of the county of Hillsborough, for the time being, to rectify certain mistakes in the proportion act, passed December 26, 1798.

Preamble.

WHEREAS it hath been made to appear to the General Court, that in said proportion act certain mistakes have been made in carrying off the proportion to the following towns, viz. Hopkinton one dollar and thirty-eight cents too low; Warner forty-seven cents high; Wilton twenty-five cents low; Hollis eleven cents high;

Therefore,

Enacting
clause.

BE it enacted by the Senate and House of Representatives in General Court convened, That the Treasurer of the State and the Treasurer for the county of Hillsborough, for the time being, be, and they hereby are fully authorized and empowered, to rectify said mistakes in all precepts by them issued, to the said towns for taxes, until a new proportion shall be made, by making additions and deductions agreeable to the above statement.

Approved December 27, 1798.

Approved
Dec. 27
1798.

AN ACT to further postpone the operation of an act, entitled, "an act to regulate scale beams, steelyards, weights and measures," passed the twelfth day of December, 1797.

BE it enacted by the Senate and House of Representatives in General Court convened, That the operation of the aforementioned act, and every matter and clause therein, be postponed for the term of one year, from and after the passing of this act, and no longer.

Approved December 27, 1798.

Approved
Dec. 27,
1798.

AN ACT relative to the Court of Common Pleas in the county of Strafford.

Enacting
clause.

BE it enacted by the Senate and House of Representatives in General Court convened, That the Court of Common Pleas shall in future be holden at Gilman-town, in said county of Strafford, on the third Tuesday of August annually, at or near the Academy in said Gilmantown.

Approved December 27, 1798.

AN

AN ACT giving Samuel Gibson and others leave to draw seines near Natticook brook, and to prevent in some degree the operation of an act, intituled, "an act to prevent the destruction of salmon, shad and alewives in Merrimack river, and for repealing all the laws heretofore made for that purpose," passed December 20, 1797.

Approved
Dec. 27,
1798.

BE it enacted by the Senate and House of Representatives in General Court convened, That the aforesaid act be so far suspended that the aforesaid Samuel Gibson and his associates, proprietors of the Paddy Seine (so called) and Simeon Kendal and his associates, proprietors of the Pumpkin Seine, have leave to draw their Seines in the customary way and manner, that they heretofore have practiced; provided that they shall at no time, have liberty to draw said Seines nearer than two rods of the confluence of the waters of said Natticook brook, with Merrimack river.

Suspension.
1798.

Approved December 27, 1798.

AN ACT in addition to, and alteration of the Militia laws now in force in this State.

Approved
Dec. 27,
1798.

SECT. 1. **B**E it enacted by the Senate and House of Representatives in General Court convened, That the militia laws of this State be so far altered, as that where there now are, or hereafter may be any company or companies of militia unorganized, and where suitable characters cannot be found within the limits of said companies, necessary for the organization of the same, the field officers within whose limits such company or companies are, may annex such persons as are liable to duty in the train band to any organized company or companies, contiguous thereto as may be most convenient, and the persons so annexed shall be liable to do duty, and subjected to penalties in the same manner as though they were officered by persons living within the particular town or limits of a company heretofore assigned.

Alteration.

SECT. 2. *And be it further enacted,* That all complaints against commanding officers of companies, for neglecting to call their companies together, as the law directs shall be made to an officer superior in rank to

Complaints,
to whom to
be made.

him

him complained of, which superior officer shall be judge of the merits of the complaint, and the propriety of a prosecution; and in case such superior officer shall judge that the good of service may require it, he and no other person may prosecute.

Approved December 27, 1798.

*Approved
Dec. 28,
1798.*

AN ACT against gaming at Billiards.

BE it enacted by the Senate and House of Representatives in General Court convened, That any person or persons who shall at any time from and after the first day of February next, have or keep in his, her or their custody or possession, any billiard table, shall forfeit and pay the sum of ten dollars with costs of suit, and the like sum for every time, as often as any such billiard table shall be found in his, her or their possession, which forfeiture shall be recoverable by any person who shall first sue therefor, in a plea of debt, in any court proper to try the same, and the whole thereof shall be to the use of the person who shall recover upon any prosecution for the breach of this act.

Approved December 28, 1798.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, December 26, 1798.

RESOLVED, That the Senators and Representatives of this State, be, and they hereby are requested to use their best endeavors, that Congress propose to the Legislatures of the several States, the following amendment to the Constitution of the United States, viz.

That the Electors of President and Vice-President, in giving in their votes, shall respectively distinguish the person whom they desire to be President, from the one they desire to be Vice-President, by annexing the words, President, or Vice-President, as the case may require, to the proper name voted for. And the person having the greatest number of votes for Vice-President, if such number be a majority of the whole number of Electors chosen, shall be Vice-

President :

President : And if there be no choice, and two or more persons shall have the highest number of votes, and those equal, the Senate shall immediately choose by ballot one of them for Vice-President : And if no person have a majority, then from the five highest on the list, the Senate shall, in like manner, choose the Vice-President. But in choosing the Vice-President, the votes shall be taken by States, the Senators from each State having one vote, a quorum for this purpose, shall consist of a Member or Members from two thirds of the States, and a majority of all the States, shall be necessary to a choice : And in case the Senators and Representatives of this State in Congress, shall find that the aforesaid amendment is not conformable to the sentiments of a constitutional majority of both branches of the National Legislature, they are hereby requested so to modify the same as to meet the sentiments of such majority.—Provided however, that any amendment which may be agreed upon, shall oblige the Electors to designate the person they desire to be President from the one whom they desire may be Vice-President.

Resolved further, that His Excellency the Governor be, and he hereby is requested to communicate the foregoing Resolve to the Supreme Executive of the several States, and also to transmit the same to the Senators and Representatives in Congress.

Sent up for concurrence :

JOHN PRENTICE, *Speaker.*

In Senate the same day read and concurred :

AMOS SHEPARD, *President.*

Approved Dec. 27th, 1798.

J. T. GILMAN, *Governor.*

A true copy—Attest, JOSEPH PEARSON, *Sec'ry.*

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, December 26th, 1798.

RESOLVED, That the Senators and Representatives of this State in the Congress of the United States, be, and they hereby are requested to use their best endeavors that Congress propose to the Legislatures of the several States, the following amendment to the Constitution of the United States, viz.

C

That

That (in addition to the other qualifications prescribed by said Constitution) no person shall be eligible as President or Vice-President of the United States; nor shall any person be a Senator or Representative in the Congress of the United States, except a natural born citizen, or unless he shall have been a resident in the United States at the time of the declaration of Independence, and shall have continued either to reside within the same, or to be employed in its service from that period to the time of his election.

Provided nevertheless, that in case the Senators and Representatives of this State in Congress, shall find that the amendment above proposed is not perfectly conformable to the sentiments of a constitutional majority of both branches of the National Legislature, they are hereby empowered and requested so to modify the same as to meet the sentiments of such majority. Provided however, that any amendment which may be agreed upon, shall exclude from the office of President and Vice-President, any person who is not a natural born citizen, or a resident in the United States at the time of the declaration of Independence as aforesaid: and shall also exclude from a seat in either branch of Congress, any person who shall not have been actually naturalized at the time of making this amendment, and have been admitted a citizen of the United States fourteen years, at least, at the time of such election.

Resolved, that his Excellency the Governor be requested forthwith to transmit the same to the Senators and Representatives of this State in Congress:—And also transmit the same to the Supreme Executives of the several States.

Sent up for concurrence:

JOHN PRENTICE, *Speaker.*

In Senate the same day read and concurred:

AMOS SHEPARD, *President.*

Approved Dec. 27th, 1798:

J. T. GILMAN, *Governor.*

A true Copy—Attest, JOSEPH PEARSON, *Sec'y.*



END



THE
LAWS
OF THE
STATE OF NEW-HAMPSHIRE,

PASSED AT A SESSION OF THE GENERAL COURT BEGUN JUNE, 1798.

AN ACT in addition to an act, intituled, "an act for Approved
arranging the militia of this State into divisions," June 18,
passed December 27, 1792. 1798.

BE it enacted by the Senate and House of Representa-
tives in General Court convened, That the compa-
nies in the towns of Concord and Lyman be annex-
ed to the second battalion in the thirteenth regiment, 13th Reg't.
and the companies in the towns of Lancaster, Little-
ton and Dalton, Franconia and State Hill, and Jef-
ferson shall form the first battalion, and the com-
panies in the towns of Northumberland, Piercy, Strat-
ford, and in all the towns north and above Strat-
ford in the county of Grafton, shall form the second 24th Reg't.
battalion, which shall constitute the twenty-fourth
regiment.

And be it further enacted, That that part of the laws Repealing
heretofore making different arrangements of the clause.
companies in the towns and places mentioned in this
act, be, and hereby are repealed.

Approved June 18, 1798.

Approved
June 18,
1798.

AN ACT suspending in certain cases the operation of an act, intituled, "an act for the limitation of actions, and for preventing of vexatious suits," passed the sixteenth day of June, one thousand seven hundred and ninety-one.

Enacting
clause.

BE it enacted by the Senate and House of Representatives in General Court convened, That the several periods specified in said act shall be computed from the fifteenth day of September, one thousand seven hundred and ninety-three, instead of from the first day of July, one thousand seven hundred and ninety-one, as expressed in said act.

Proviso.

Provided nevertheless, That this act shall not be construed to effect any judgment or decision of any court heretofore rendered by virtue of said act.

Approved June 18, 1798.

Approved
June 20,
1798.

AN ACT to repeal an act, intituled, "an act for the preservation of Salmon in Ammonusuck river," passed June twenty-second, one thousand seven hundred and eighty-six.

Repealing
clause.

BE it enacted by the Senate and House of Representatives in General Court convened, That the above recited act, for the preservation of Salmon in Ammonusuck river, be, and it hereby is rejected.

Approved June 20, 1798.

Approved
June 20,
1798.

AN ACT to postpone the operation of an act, intituled, "an act to regulate scale-beams, steelyards, weights and measures," passed the twelfth day of December, 1797.

Act postponed.

BE it enacted by the Senate and House of Representatives in General Court convened, That the operation of the aforementioned act, and every meter and clause therein, be postponed until the end of the next session of the General Court, and no longer.

Approved June 20, 1798.

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